

REMARKS

Claims 1-6 are pending in the application. Claims 1-6 are rejected. Claim 4 is cancelled.

Claims 1, 2, 5, and 6 are provisionally rejected under the judicially created doctrine of double patenting as being unpatentable over co-pending U.S. Patent Application serial number 09/810,841. Applicants respectfully submit the attached terminal disclaimer in compliance with 37 CFR 321(c), as the conflicting application is commonly owned with the present application. Please charge Deposit Account No. 50-0749 in the amount of \$110.00 for the terminal disclaimer fee pursuant to 37 CFR 1.20(d).

Claim 3 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,262,738. The Examiner will please note that the named inventors of 6,262,738 are identical in the present application, as is the assignee.

Claimed is a method for converting range data of an object to a model of the object in the form of an adaptively sampled distance field (ADF). ADFs were first invented and described, also by the present inventors, in United States Patent 6,396,492 to Frisken et al. on May 28, 2002, titled "Detail-Directed Hierarchical Distance Fields." In hierarchical distance fields, the field is *adaptively* sampled.

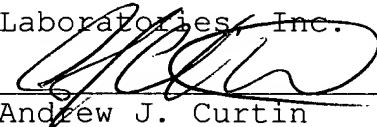
It would not have been possible for the inventors to generate and operate on ADFs in '738, because ADFs were invented after '738 was filed. The inventors, in 6,262,738, describe a *regularly sampled distance field*. Not an *adaptively sampled distance field* as claimed. If the inventors, at the time of 6,262,738, did not know hierarchical distance fields, it is

unlikely they would know how to convert range data to a model represented by a hierarchical distance field. Therefore, the applicants respectfully request the obviousness-type double patenting rejection of claim 3, based on U.S. 6,262,738, be reconsidered and withdrawn.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0749 and please credit any excess fees to such deposit account.

Respectfully submitted,
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